

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**CHRIS E. TURNER,**

**Plaintiff,**

**v.**

**CITY OF AUBURN, a municipality of  
The State of Alabama; LARRY  
LANGLEY, an individual; LEE LAMAR  
an individual; BILL HAM, JR., an  
individual; STEVE A. REEVES, an  
individual; DAVID WATKINS, an  
individual; CHARLES M. DUGGAN,  
an individual; and CORTEZ  
LAWRENCE, an individual,**

**Defendants.**

**CV: 3:07-162-MEF**

**ANSWER**

CWH Research, Inc. ("CWH") answers the City of Auburn's ("Auburn") Third-Party Complaint as follows:

1. Admitted.
2. Admitted.
3. Denied. Auburn has not incurred over \$75,000 in defense or liability costs in the aggregate.
4. The document marked as Exhibit A to Auburn's Third-Party Complaint speaks for itself.
5. Denied.

6. Exhibit A to Auburn's Third-Party Complaint speaks for itself.

7. CWH adopts and incorporates herein all responses to paragraphs 1-6 of the Third-Party Complaint.

8. CWH recognizes that Auburn denies that it discriminated against Chris Turner and agrees that the testing procedure provided by CWH was not discriminatory in practice or application. CWH denies the remainder of Paragraph 8 of the Third-Party Complaint.

9. CWH adopts and incorporates herein all responses to paragraphs 1-8 of the Third-Party Complaint.

10. CWH recognizes that Auburn denies that it discriminated against Chris Turner and agrees that the testing procedure provided by CWH was not discriminatory in practice or application. CWH denies the remainder of Paragraph 8 of the Third-Party Complaint.

### **AFFIRMATIVE DEFENSES**

The City of Auburn was contributorily negligent.

/s/ William K. Hancock  
William K. Hancock

/s/ Ray A. Carle  
Ray A. Carle

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 5, 2008, I electronically filed same using the CMEF system which will electronically notify all attorneys of record.

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**/s/ William K. Hancock  
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